

## MINUTE ITEM

## 16. (REVISION TO MINUTES OF JANUARY 10, 1957 - L.B. W.O. 10,005.)

Following presentation of Calendar Item No. 23 attached, Mr. Harold A. Lingle, City Attorney for Long Beach, appeared before the Commission and indicated that the City did not do any work without prior approval.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, THE FOLLOWING RESOLUTION WAS ADOPTED:

THE COMMISSION AUTHORIZES THE REVISION OF THE RESOLUTION OF JANUARY 10, 1957 MINUTE ITEM 17 TO READ:

"THE COMMISSION APPROVES THE COSTS PROPOSED TO BE EXPENDED BY THE CITY OF LONG BEACH, INCLUDING SUBSIDENCE REMEDIAL WORK UNDER PROJECT L.B. W.O. 10,005, BETWEEN JANUARY 1, 1957 AND JUNE 30, 1957, THE COST OF SAID SUBSIDENCE REMEDIAL WORK NOT TO EXCEED \$959,530; SUBJECT TO THE CONDITIONS, HOWEVER, THAT THE AMOUNTS, IF ANY, OF EACH OF THE ITEMS TO BE ALLOWED ULTIMATELY AS SUBSIDENCE COSTS, DEDUCTIBLE UNDER SECTION 5(a) OF CHAPTER 29, STATUTES OF 1956, 1st E.S., WILL BE DETERMINED BY THE COMMISSION UPON AN ENGINEERING REVIEW AND FINAL AUDIT SUBSEQUENT TO THE TIME WHEN THE WORK UNDER ANY OF THESE ITEMS IS COMPLETED; AND THE EXECUTIVE OFFICER OR THE ASSISTANT EXECUTIVE OFFICER OR THE MINERAL RESOURCES ENGINEER ARE AUTHORIZED TO EXECUTE APPROPRIATE WRITTEN INSTRUMENTS REFLECTING THE COMMISSION'S CONDITIONAL APPROVAL."

Attachment

Calendar Item 23 (1 page)

CALENDAR ITEM

SUPPLEMENTAL

23.

(REVISION TO MINUTES OF JANUARY 10, 1957 - L.B. W.O. 10,005.)

Minute Item Number 17 in the Minutes of the State Lands Commission Meeting on January 10, 1957 contains the following resolution:

"THE COMMISSION APPROVES THE COSTS PROPOSED TO BE EXPENDED BY THE CITY OF LONG BEACH, INCLUDING SUBSIDENCE REMEDIAL WORK UNDER PROJECT L.B. W.O. 10,005, BETWEEN JANUARY 1, 1957 AND JUNE 30, 1957, NOT TO EXCEED \$959,530; SUBJECT TO THE CONDITIONS, HOWEVER, THAT THE AMOUNTS, IF ANY, OF EACH OF THE ITEMS TO BE ALLOWED ULTIMATELY AS SUBSIDENCE COSTS, DEDUCTIBLE UNDER SECTION 5(a) OF CHAPTER 29, STATUTES OF 1956, 1st E.S., WILL BE DETERMINED BY THE COMMISSION UPON AN ENGINEERING REVIEW AND FINAL AUDIT SUBSEQUENT TO THE TIME WHEN THE WORK UNDER ANY OF THESE ITEMS IS COMPLETED; AND THE EXECUTIVE OFFICER OR THE ASSISTANT EXECUTIVE OFFICER OR THE MINERAL RESOURCES ENGINEER ARE AUTHORIZED TO EXECUTE APPROPRIATE WRITTEN INSTRUMENTS REFLECTING THE COMMISSION'S CONDITIONAL APPROVAL."

The City of Long Beach has requested, in the interest of greater clarity, that the words "the cost of said subsidence remedial work" be included in the approval in reference to the nature of the total amount of \$959,530 authorized. In the opinion of the office of the Attorney General the proposed modification of the wording clarifies the evident meaning of the resolution and does not constitute a modification of the former Commission action.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE REVISION OF THE RESOLUTION OF JANUARY 10, 1957 MINUTE ITEM 17 TO READ:

"THE COMMISSION APPROVES THE COSTS PROPOSED TO BE EXPENDED BY THE CITY OF LONG BEACH, INCLUDING SUBSIDENCE REMEDIAL WORK UNDER PROJECT L.B. W.O. 10,005, BETWEEN JANUARY 1, 1957 AND JUNE 30, 1957, THE COST OF SAID SUBSIDENCE REMEDIAL WORK NOT TO EXCEED \$959,530; SUBJECT TO THE CONDITIONS, HOWEVER, THAT THE AMOUNTS, IF ANY, OF EACH OF THE ITEMS TO BE ALLOWED ULTIMATELY AS SUBSIDENCE COSTS, DEDUCTIBLE UNDER SECTION 5(a) OF CHAPTER 29, STATUTES OF 1956, 1st E.S., WILL BE DETERMINED BY THE COMMISSION UPON AN ENGINEERING REVIEW AND FINAL AUDIT SUBSEQUENT TO THE TIME WHEN THE WORK UNDER ANY OF THESE ITEMS IS COMPLETED; AND THE EXECUTIVE OFFICER OR THE ASSISTANT EXECUTIVE OFFICER OR THE MINERAL RESOURCES ENGINEER ARE AUTHORIZED TO EXECUTE APPROPRIATE WRITTEN INSTRUMENTS REFLECTING THE COMMISSION'S CONDITIONAL APPROVAL."